



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, October 29, 2013

11:30 AM

Council Chambers

Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

Members of the audience will be provided an opportunity to address the Council at approximately 12:00 p.m., or the end of the Council Meeting, whichever is earlier. Please speak into the microphone located at the podium and state your name and address. Your presentation will be limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.

Si Usted desea dirigirse al Concilio y cree que su inglés es limitado, habrá un intérprete inglés-español en todas las juntas del Concilio para ayudarle.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (at 361-826-3105) at least 48 hours in advance so that appropriate arrangements can be made.

- A. Mayor Nelda Martinez to call the meeting to order.**
- B. Invocation to be given by Pastor Rod Young, Church of Hope**
- C. Pledge of Allegiance to the Flag of the United States.**
- D. City Secretary Armando Chapa to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [13-001004](#) Proclamation declaring November 4 - 8, 2013 as "Municipal Courts Week"
Proclamation declaring November 2013 as "Pulmonary Hypertension Awareness Month"
Certificate of Commendation Presentation to the Waldron Road Baptist Church
- F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.**

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

1. MAKE A STATEMENT OF FACTUAL INFORMATION.
2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.
3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

G. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

H. EXECUTIVE SESSION: (ITEM 2)

PUBLIC NOTICE is given that the City Council may elect to go into executive session at any time during the meeting in order to discuss any matters listed on the agenda, when authorized by the provisions of the Open Meeting Act, Chapter 551 of the Texas Government Code, and that the City Council specifically expects to go into executive session on the following matters. In the event the Council elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding office.

2. [13-001006](#) Executive Session pursuant to Texas Government Code Section 551.074 Personnel Matters to deliberate the appointment of the City Secretary with possible discussion and action in open session.

I. MINUTES:

3. [13-001005](#) Regular Meeting of October 22, 2013

J. BOARDS & COMMITTEE APPOINTMENTS:

K. EXPLANATION OF COUNCIL ACTION:

For administrative convenience, certain of the agenda items are listed as motions, resolutions, or ordinances. If deemed appropriate, the City Council will use a different method of adoption from the one listed; may finally pass an ordinance by adopting it as an emergency measure rather than a two reading ordinance; or may modify the action specified. A motion to reconsider may be made at this meeting of a vote at the last regular, or a subsequent special meeting; such agendas are incorporated herein for reconsideration and action on any reconsidered item.

L. CONSENT AGENDA: (ITEMS 4 - 19)

NOTICE TO THE PUBLIC: The following items are consent motions, resolutions, and

ordinances of a routine or administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

4. [13-000959](#) **Purchase of specialized equipment for emergency response capabilities**

Motion authorizing the purchase of specialized equipment for a total amount of \$76,864.19 utilizing funds from the 2011 Homeland Security Grant awarded to the City of Corpus Christi and budgeted in the Fire Grant Fund 1062.

Sponsors: Purchasing Division and Fire Department

5. [13-000919](#) **Contract for Vital Statistics Unit grant for administration of duties**

A motion authorizing the City Manager or his designee to execute a contract with the Department of State Health Services for the administration of duties performed by the Vital Statistics Unit of the Health Department and for the payment of record fees in the amount of \$1.83 per printed record due to the State; and to ratify acceptance of the contract to begin as of September 1, 2013.

Sponsors: Health Department

6. [13-000889](#) **Second Reading Ordinance - Accepting and appropriating funds for the Violence Against Women (VAWA) grant (1st Reading 10/22/13)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$43,823.74 for Year 14 of the Violence Against Women (VAWA) Program within the Police Department with a City match of \$16,573.28 and an in-kind match of \$8,928 from the No. 1020 Police General Fund; appropriating the \$43,823.74 in the No. 1061 Police Grants Fund for the VAWA grant in the Police Department; and authorizing the transfer of \$16,573.28 from the No. 1020 Cash Contribution to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$69,325.02.

Sponsors: Police Department

7. [13-000917](#) **Second Reading Ordinance - Accepting and appropriating Federal grant for the FY 2013 Port Security Grant Program (1st Reading 10/22/13)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$66,191 from the U.S. Department of Homeland Security FEMA for funding eligible under the FY 2013 Port Security Grant Program to purchase law

enforcement equipment for the Police Department, with a City match of \$22,064 for a total project cost of \$88,255; and appropriating the \$66,191 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

8. [13-000953](#) **Second Reading Ordinance - Accepting and appropriating State grant increase to the State Homeland Security Grant Program (SHSP) (1st Reading 10/22/13)**

Ordinance authorizing the Mayor or designee to execute all documents necessary to accept a grant adjustment from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA) to increase the amount from \$45,221.80 to \$60,678.80 for FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP); and appropriating \$15,457.00 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA), FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out homeland security projects that will significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities.

Sponsors: Fire Department

9. [13-000941](#) **Second Reading Ordinance - Accepting and appropriating the FY 13-14 Senior Companion Program (SCP) grant (1st Reading 10/22/13)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$264,007 grant awarded by the Corporation for National and Community Service; appropriating the \$264,007 grant in the No. 1067 Parks and Recreation Grants Fund; transferring \$76,903 from the No. 1020 General Fund to the No. 1067 Parks and Recreation Grant Fund as City matching funds for the Senior Companion Program and appropriating the \$76,903 in the No. 1067 Parks and Recreation Grant Fund.

Sponsors: Parks and Recreation Department

10. [13-000942](#) **Second Reading Ordinance - Accepting and appropriating a local grant for the Senior Companion Program (1st Reading 10/22/13)**

Ordinance authorizing the City Manager, or designee, to execute all documents necessary to accept and appropriate a grant in the amount of \$10,000 from Mirador - to be used for stipends, mileage, meals and recognition of volunteers of the Corpus Christi Senior Companion Program.

Sponsors: Parks and Recreation Department

11. [13-000943](#) **Second Reading Ordinance - Accepting and appropriating a**

Federal grant for the Retired Senior Volunteer Program (RSVP) (1st Reading 10/22/13)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$46,934 grant awarded by the Corporation for National and Community Service for the Retired Senior Volunteer Program; appropriating the \$46,934 grant in the No. 1067 Parks and Recreation Grants Fund; transferring \$79,173 from the No. 1020 General Fund to the No. 1067 Parks and Recreation Grant Fund as City matching funds for the Retired Senior Volunteer program and appropriating the \$79,173 in the No. 1067 Parks and Recreation Grant Fund.

Sponsors: Parks and Recreation Department

12. [13-000945](#) **Second Reading Ordinance - Amending the Code of Ordinances to establish a formal memorial bench and tree program (1st Reading 10/22/13)**

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 36 regarding memorial tree and park bench program; providing for severance; and providing for publication.

Sponsors: Parks and Recreation Department

13. [13-000715](#) **Second Reading Ordinance - Adopting amendment to the revised project and financing plans for Reinvestment Zone Number Two; amending budget; appropriating funds for current year in Packery Channel Improvement Program (CIP) fund; approving contract for continued Packery Channel monitoring (1st Reading 10/22/13)**

Ordinance approving and adopting an amendment to the Revised Project and Financing Plans for Reinvestment Zone Number Two, City of Corpus Christi, dated September 29, 2009, as recommended by the Island Strategic Action Committee, the Board of Directors North Padre Island Development Corporation, and the Reinvestment Zone #2 Board of Directors; approving and adopting the Reinvestment Zone Number Two, City of Corpus Christi FY 2013-2014 Budget as recommended by the Island Strategic Action Committee, the Board of Directors North Padre Island Development Corporation, and the Reinvestment Zone #2 Board of Directors; appropriating and transferring \$510,000 from the Unreserved Fund Balance in Fund 1111 Reinvestment Zone #2 to and appropriating in the No. 3278 Packery Channel Projects TIF #2 fund for the approved Fiscal Year 2014 projects; Changing the FY 2014 Operating Budget adopted by Ordinance No. 029915 to increase expenditures by \$510,000; and authorizing the City Manager, or his designee, to execute Amendment No. 8 to the contract between the City and Texas A & M University-Corpus Christi in the amount of \$349,755 for a restated fee not to exceed \$1,897,783 for Packery Channel Monitoring Fiscal Year 2013-2014.

Sponsors: Parks and Recreation Department and Engineering Department

14. [13-000948](#) **Second Reading Ordinance - Construction contract for Oso Bay Area Park Development, Phase 2 (BOND 2008) (1st Reading 10/22/13)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916, to include \$450,000 from Fund 4720 Community Enrichment Fund; transferring \$196,265 from Fund 3480 Storm Water CIP Fund Reserves, \$288,210 from Fund 4088 Water CIP Revenue Bond Fund Reserves, \$319,740 from Fund 4510 Wastewater Capital Reserves, and \$289,895 from Fund 3544 Street 2007A CIP Fund Reserves to the Oso Creek / Oso Bay Area Park Development Project (Bond 2008); increasing expenditures in the amount of \$1,544,110; and authorizing the City Manager, or his designee, to execute a construction contract with Reytec Construction Resources, Inc. of Houston, Texas in the amount of \$4,215,816.00 for the Oso Bay Area Park Development, Phase 2 project for the Base Bid only.

Sponsors: Parks and Recreation Department and Engineering Department

15. [13-000951](#) **Second Reading Ordinance - Lease agreement for farm and grazing airport acreage (1st Reading 10/22/13)**

Ordinance authorizing the City Manager, or designee, to execute a Farm and Grazing Lease Agreement with James P. Kelly to farm and graze approximately 28.28 acres of farm land located at the Corpus Christi International Airport, in consideration of an annual payment to the City of \$15 per leased acre for a term of five 5 years.

Sponsors: Aviation Department

16. [13-000924](#) **Second Reading Ordinance - Agreement and appropriation of funds for disposal of brush, bulky items, and construction and demolition materials (1st Reading 10/22/13)**

Ordinance authorizing the City Manager, or designee, to execute an Agreement for the disposal of brush, bulky items, and construction and demolition materials with MSW Corpus Christi Landfill Ltd., a Texas limited partnership, and Gulley-Hurst LLC, a Texas limited liability company; appropriating \$150,000 of anticipated revenue in the No. 1020 General Fund and changing the FY 2013-2014, Operating Budget adopted by Ordinance 029915 by increasing Revenues and Expenditures by \$150,000.00 each.

Sponsors: Solid Waste Operations

17. [13-000955](#) **Second Reading Ordinance - Service agreement and appropriation of funds for a route optimization program for Solid Waste Services (1st Reading 10/22/13)**

Ordinance appropriating \$335,196 from the unappropriated fund balance in the No. 1020 General Fund into the Operating Budget of the Solid Waste Department in the 1020 General Fund for the purchase of a Route Optimization Program for Refuse and Recycling Collection; changing the FY 2013-2014 Operating Budget adopted by Ordinance 029915 by increasing appropriations by \$335,196 in the No. 1020 General Fund; and awarding a service agreement to provide software, hardware and installation of a route optimization program with WM Logistics LLC, Magnolia, Texas, in accordance with Bid Invitation No. BI-0156-13, based on most advantageous proposal, for a total amount of \$335,196.

Sponsors: Solid Waste Operations

18. [13-000966](#) **Second Reading Ordinance - Hotel Occupancy Tax funds for convention center capital/maintenance (1st Reading 10/22/13)**

Ordinance appropriating \$1,591,601.36 from reserved fund balance in the No. 1030 Hotel Occupancy Tax Fund for Convention Center Capital/Maintenance at the American Bank Center; changing the FY 2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing expenditures by \$1,591,601.36.

Sponsors: ACM - Business Support Services

19. [13-000952](#) **Second Reading Ordinance - Ratifying the acceptance of and appropriating State grant; execution of contract for early childhood literacy programs (1st Reading 10/22/13)**

Ordinance ratifying the acceptance of a \$7,525 grant from the Texas State Library and Archives Commission (TSLAC) and execution of the contract and all related documents with TSLAC to participate in the Impact Grant Program for the period of September 1, 2013 through August 31, 2014; and appropriating \$7,525 from the TSLAC in the Library Grants Fund No. 1068 to continue the TSLAC Impact Grant Program through the period of September 1, 2013 through August 31, 2014.

Sponsors: Libraries

M. **PUBLIC HEARINGS: (NONE)**

N. **REGULAR AGENDA: (ITEM 20)**

The following items are motions, resolutions and ordinances that will be considered and voted on individually.

20. [13-000944](#) **Resolution amending council policy number nine**

Resolution amending Council Policy No. 9, entitled Community Development Block Grant and HOME Programs by revising the language regarding the CDBG acronym, the language of sections e. and

f. and by adding a section g.; and reaffirming the objectives and guidelines of the policy.

Sponsors: Neighborhood Services

O. FIRST READING ORDINANCES: (ITEMS 21 - 23)

21. [13-000974](#) First Reading Ordinance - Designating the City as designated caretaker of impounded animals

Ordinance amending section 6-1(a) "definitions" by adding the definition of designated caretaker; amending section 6-103(g)(1) "Dispositions of animals" of the Corpus Christi Code by designating the City as designated caretaker of impounded animals; providing an effective date; providing for severance; and providing for publication.

Sponsors: Police Department

22. [13-000978](#) First Reading Ordinance - Accepting and appropriating State grant funds for Women, Infants and Children grant (WIC)

Ordinance authorizing the City Manager, or his designee, to execute all documents necessary to accept and appropriate a grant in the amount of \$447,758.00 from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to provide funds for the Women, Infants, and Children (WIC) program; and to ratify acceptance of the grant to begin as of October 1, 2013

Sponsors: Health Department

23. [13-000962](#) First Reading Ordinance - Appropriating funds to reimburse the developer for the construction of a wastewater lift station

Ordinance appropriating \$411,387.25 from the No. 4220 Sanitary Sewer Trunk System Trust Fund to reimburse Forestar (USA) Real Estate Group, Inc., ("Developer") for the construction of Tortuga Dunes/Zahn Road/Packery Channel wastewater lift station and force main improvements in accordance with the approved reimbursement agreement executed with the Developer.

Sponsors: Development Services

P. FUTURE AGENDA ITEMS: (ITEMS 24 - 28)

The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.

24. [13-000976](#) Lease purchase of eight (8) CNG freightliner trucks with trash bodies for brush collection

Motion approving the lease-purchase of eight (8) Freightliner trucks with trash bodies from Freightliner of Houston, Houston, Texas for a total

amount of \$1,573,114.00. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funding is available from the city's lease-purchase financing contractor.

Sponsors: Purchasing Division and Solid Waste Operations

25. [13-000977](#) **Lease purchase of six (6) CNG Peterbilt trucks with automated side loaders for refuse collection**

Motion approving the lease-purchase of six (6) Peterbilt trucks with automated side loaders from Rush Truck Centers of Texas, L.P., Houston, Texas for a total amount of \$1,897,112.00. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funding is available from the city's lease-purchase financing contractor.

Sponsors: Purchasing Division and Solid Waste Operations

26. [13-000975](#) **Supply agreement for water meters and registers**

Motion approving a supply agreement with Neptune Technology Group, Inc., Tallassee, Alabama for water meters and registers for a total estimated expenditure of \$635,968.48. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). The term of the agreement shall be for nine (9) months. Funds have been budgeted by the Water Department in FY 2013 - 2014.

Sponsors: Purchasing Division and Water Department

27. [13-000967](#) **Engineering monitoring contract - for salinity and freshwater inflow monitoring Rincon Bayou Diversion - Nueces Bay System**

Motion authorizing the City Manager, or designee, to execute a Contract for Monitoring Services with the Conrad Blucher Institute at Texas A&M University - Corpus Christi in the amount of \$94,605.00 for Rincon Bayou Diversion - Nueces Bay System Salinity and Freshwater Inflow Monitoring 2013-2014.

Sponsors: Water Department and Engineering Department

28. [13-000968](#) **Engineering monitoring contract - for Nueces River water quality, Oso Creek water level and City of Corpus Christi meteorological monitoring**

Motion authorizing the City Manager, or designee, to execute Amendment No. 3 to the Contract for Monitoring Services with the Conrad Blucher Institute at Texas A&M University - Corpus Christi in the amount of \$93,381.00, for a total restated fee of \$456,642.00 for Nueces River Water Quality, Oso Creek Water Level & City of Corpus Christi Meteorological Monitoring 2013.

Sponsors: Water Department and Engineering Department

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.

R. ADJOURNMENT